

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEON DAJUAN DAVIS,

v.

CASE NO. 17-cv-13378
HON. DENISE PAGE HOOD

WARDEN WILLIS CHAPMAN,
_____ /

**ORDER DENYING PETITIONER'S
MOTION FOR RECONSIDERATION [ECF NO. 9]**

Petitioner Keon Dajuan Davis filed a *pro se* habeas corpus petition challenging his state conviction for second-degree murder, Mich. Comp. Laws § 750.317. ECF No. 1. The petition raises seven issues concerning Petitioner's right of confrontation, the admission of certain evidence at trial, the sufficiency and weight of the evidence at trial, the state trial court's jury instructions, the prosecutor's conduct, the need for an evidentiary hearing, and the totality of trial errors. *See id.*, PageID.5-10-11, 35-37. The warden, Willis Chapman, filed an answer to the habeas petition in which he argues, among other things, that Petitioner's claims about the prosecutor and the need for an evidentiary hearing are procedurally defaulted. ECF No. 6, PageID.130, 135, 187, 195-196.

Petitioner then filed a document entitled "Motion for Reconsideration under Procedural Default of Ineffective Counsel Insufficient Evidence." ECF No. 9. The document does not seek reconsideration of a court order in this case; rather it reiterates some of the arguments that Petitioner presented in his habeas petition.

As such, the document is more of a reply to the warden's answer than a motion. The Court, therefore, denies Petitioner's motion for reconsideration. The Court will treat the document as a reply when the Court adjudicates Petitioner's habeas claims in a future opinion and order.

Dated: September 30, 2020

s/Denise Page Hood
Chief Judge, United States District